

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 1:19-cr-100  
JUDGE DOUGLAS R. COLE**

**CESAR AGUSTO GUERRERO JR.,**

**Defendant.**

**ORDER**

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”), Pub. L. No. 116-136, 134 Stat. 281 (2020), and this Court’s General Order Nos. 20-05, 20-07, and 20-18, the undersigned, as the District Judge to whom this case is assigned, finds in this felony case that the change of plea pursuant to Federal Rule of Criminal Procedure 11 cannot be further delayed without serious harm to the interests of justice.

Specifically, this Court finds that serious harm may occur to the interests of justice in that further delay to Defendant Cesar Augusto Guerrero Jr.’s change of plea hearing would interfere with both his and society’s interest in prompt resolution of criminal matters. *See United States v. Westmoreland*, 712 F.3d 1066, 1076 (7th Cir. 2013) (“Both the accused and society as a whole have an interest in prompt resolution of criminal proceedings.”) (citing *Barker v. Wingo*, 407 U.S. 514, 519–20 (1972)). Such delay would also interfere with Guerrero’s ability to begin satisfying any penalty or sanction associated with the charged crime to which he intends to plead guilty, a delay which “may have a detrimental effect on rehabilitation.” *See Barker*, 407 U.S.

at 520. (observing that “delay between arrest and punishment may have a detrimental effect on rehabilitation”).

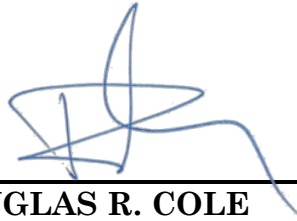
This Court further finds that Guerrero, after consultation with his counsel, has consented to the use of video conferencing to conduct the plea hearing.

Accordingly, this Court **ORDERS** that the plea hearing may be conducted by use of video conferencing technology.

**SO ORDERED.**

June 4, 2020

**DATE**



**DOUGLAS R. COLE**

**UNITED STATES DISTRICT JUDGE**